IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1732 OF 2005

M/s.Sterline Optical Technologies Ltd. .. Petitioners
V/s
Union of India & Ors. .. Respondents

Mr.R.A.Dada, Sr.Counsel with Mr.V.S.Nankani i/by Mr.Madhur Baya for the Petitioners.

Mr.M.I.Sethna with Mr.A.M.Sethna for the Respondent Nos.1 to 4.

Ms.Rajashree Rastogi i/by M/s.M.K.Ambalal & Co. for Respondent No.5.

CORAM: DR.S.RADHAKRISHNAN &
J.H.BHATIA, JJ.

DATE : 21/07/2005.

P.C.:

1. Heard the learned Counsel for the parties. The issue involved in this matter is that the Petitioners are aggrieved by the order passed by the CESTAT dated 17th June, 2005. The Petitioners are desirous of filing an appeal before the Hon'ble Supreme Court under Section 35(L) of the Central Excise Act, 1944 and/or the Petitioners are also desirous of filing an appeal before the High Court on a substantial question of law under Section 35(G) of the Central Excise Act, 1944.

2. The learned Counsel for the Respondents categorically states that till 17th August, 2005 the Respondents will not take any coercive steps against the Petitioners and that the Respondents will not encash any of the Bank Guarantees.

3. The learned Counsel for the Petitioners states that the Bank Guarantees which have been furnished before the CESTAT will be kept alive till 17th August, 2005.

4. In view of the above, Writ petition stands disposed of.

(DR.S.RADHAKRISHNAN J.)

(J.H.BHATIA J.)